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AUG 25 2008

OFFICE OF PETITIONS

In re Application of :
Magyar, et al. :
Application No. 10/544,215 :
Filed: July 29, 2005 :
Attorney Docket No. 2003P00364WOUS :
For: DOOR HANDLE :
ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed June 9, 2008 (certificate of mailing date June 6, 2008), requesting that the Office withdraw the holding of abandonment of the above-identified application.

The petition under 37 CFR 1.181 is **GRANTED**.

This application was held abandoned for failure to respond in a proper manner to the final Office action, mailed October 31, 2007, which set forth an extendable three (3) month period for reply. The Office contended that this application became abandoned on February 1, 2008 for failure to properly reply to the October 31, 2007 final Office action. A Notice of Abandonment was mailed on June 2, 2008.

Petitioners request withdrawal of the holding of abandonment based on the assertion that a request for a two month extension of time and a Notice of Appeal were timely filed on April 3, 2008 (certificate of mailing date March 31, 2008). The undersigned finds this argument completely convincing, as these documents are present in the application file and Office financial records show that the required two month extension of time fee and the required Notice of Appeal fee were charged on accounting date April 3, 2008. The certificate of mailing date for the documents at issue, and the corresponding payments submitted, was March 31, 2008. Therefore, the two month extension of time and the Notice of Appeal were timely filed.

The petition under 37 CFR 1.181 is **granted**, the holding of abandonment is withdrawn, and the June 2, 2008 Notice of Abandonment is **vacated**. No petition fee has been or will be charged in connection with this matter.

The application file will be forwarded to Technology Center A.U. 3677 for consideration of the Appeal Brief and amendment, filed on June 30, 2008 (certificate of mailing date June 26, 2008).

Telephone inquiries pertaining to this matter may be directed to the undersigned at (571) 272-3230.

Shirene Willis Brantley
Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

APR 03 2008

PTO/SB/22 (10-07)

Approved for use through 10/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional)
FY 2006 <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>		2003P00364WOUS
Application Number 10/544,215		Filed 07/29/2005
For DOOR HANDLE		
Art Unit 3677		Examiner Chuck Y. Mah

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$460	\$230	\$ 460.00
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1050	\$525	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1640	\$820	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2230	\$1115	\$ _____

Applicant claims small entity status. See 37 CFR 1.27.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

08/25/2008 CKHLOK 00000003 502786

01 FC:1252 460.00 DA

10544215

The Director has already been authorized to charge fees in this application to a Deposit Account.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to
Deposit Account Number 502786. I have enclosed a duplicate copy of this sheet.

WARNING: Information on this form may become public. Credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.

04/03/2008 RHEBRAHT 00000009 502786

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I am the applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

attorney or agent of record. Registration Number 32,860

attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

March 31, 2008

Date

Russell W. Warnock

252-672-7927

Signature

Telephone Number

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<i>Russell W. Warnock</i> Signature		March 31, 2008 Date
Russell W. Warnock Typed or printed name		252-672-7927 Telephone Number
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